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EXAMINER

GOOD JOHNSON, MOTILEWA

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2672

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 13

Application Number: 09/589,049
Filing Date: June 06, 2000
Appellant(s): DHIMITRI ET AL.

Jason S. Feldmar
For Appellant

EXAMINER'S ANSWER

Art Unit: 2672

This is in response to the appeal brief filed December 2, 2003.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is incorrect. A correct statement of the status of the claims is as follows:

This appeal involves claims 1-18 rejected under 35 U.S.C. 102(b).

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) *Grouping of Claims*

Appellant's brief includes a statement that claims do not stand or fall together and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

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(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

5,894,310

ARSENAULT et al.

4-1999

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by

Arsenault et al., U.S. Patent Number 5,894,310, "Intelligent Shapes for Authoring Three-Dimensional Models", class 345/619, 04/13/1999.

As per independent claim 1, a method of display information . . . comprising: displaying a first object . . . ; displaying a second object on the monitor; positioning the first object proximate to the second object . . . ; changing an appearance of plugs by displaying plugs on the first object . . . plugs indicate one or more respective attachment points . . . ; dynamically creating a socket on the second object . . . socket indicates an attachment point between the first object and the second object; and automatically coupling the second object to the first object at the attachment point. Arsenault discloses modeling shapes and solids with intelligence and that intelligent shape modeling may include parameters specifying how the shape is to interact with other shapes, how the snap into place with other shapes and maintaining a certain distance with other shapes, col. 3. Arsenault further discloses a plug and socket configuration for the bus. Arsenault also discloses a snap in and interlock capability, col. 4. and that components, such as reference geometry components that define secondary attachment point for attaching shapes together, col. 11, lines 20-67, can be added or removed between run time and are added at any time and that they can be shared between shapes, i.e. objects, col. 6, lines 34-50.

With respect to dependent claim 2, an appearance of the displayed second object on the monitor is modified when a type of the plug on the first object does not match . . . Arsenault discloses functions for variable context change notification and further discloses callbacks and the actual communications may include interface definitions such as detach context, col. 16, lines 4-46.

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With respect to dependent claim 3, automatically coupling further comprises the step of positioning the first object to align the plug of the first object to the created socket of the second object. Arsenault discloses a snap in capability and allowing a shape to interlock with another shape automatically, col. 4, lines 1-26. Arsenault further discloses the shapes contain attachment points that know how to glue to one another, col. 6, lines 1-2.

With respect to dependent claim 4, automatically coupling further comprises the step of automatically coupling the attachment point of the second object to the first object along a defined range . . . Arsenault discloses a disk to snap onto the end of a cylinder when the disk is dragged into proximity with the cylinder, col. 9, lines 63-67.

With respect to dependent claim 5, deleting the created socket when the plug of the first object is no longer proximate to the second object. . . Arsenault discloses shape data structure which implements API function calls and further discloses a remove component and remove all components function call, col. 14, lines 36-67 to col. 15, lines 1-27.

With respect to dependent claim 6, deleting the created socket when no plugs are attached to the created socket. . . Arsenault discloses shape data structure which implements API function calls and further discloses a remove component and remove all components function call, col. 14, lines 36-67 to col. 15, lines 1-27.

As per independent claims 7 and 13 and dependent claims 8-12 and 4-18, they are rejected based upon similar rational as above independent claim 1 and dependent claims 2-6 respectively.

(11) Response to Argument

Applicant argues rejected claim 5 under 35 U.S.C. 112, second paragraph, as being indefinite. The claim limitation recited "deleting the created socket when the plug of the first object is no longer proximate to the second object." The Examiner rejected claim 5 as being indefinite in that it is unclear what constitutes the proximity of the objects and furthermore at what proximity the deletion would occur.

Applicant argues that Arsenault fails to disclose changing an appearance of plugs on an object when the object is positioned proximate to another object; dynamically creating a socket and creating a socket when a plug of a first object is placed proximate to a second object.

Arsenault discloses shape properties can be used to intelligently modify the geometry of other shapes, col. 4, lines 5-6, shape properties relate to the dynamic behavior of the shape whether it pulls or attracts another shape to it, col. 4, lines 13-17, and shape characteristics have a capability to snap in and interlock with another shape automatically, needed only when the user is manipulating the shape to establish it's new position in the scene, col. 4, lines 8-13. Arsenault also discloses components that interface with the shape such as a plug into or socket configuration, col. 4, lines 57-60, and that components are dynamic, col. 6, line 37.

Therefore it is the Examiner's position that Arsenault discloses changing an appearance of an object based upon the manipulation of the positioning of the object in

a scene by a user and allows for the dynamic creation of components such as a socket and plug configuration to an object.

Applicant argues that Arsenault fails to dynamically create sockets. Arsenault defines the socket and plug configure as a component, col. 4, lines 57-59, and further discloses the components are dynamic. Applicant argues further that Arsenault's properties are store and described separately from the dynamic behavior and that the anchor component provided in Arsenault is not changed. Arsenault discloses in col. 22, lines 11-13, in the example provided the anchor component is not changed.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., appeal brief page 6, figure 4B, the movement of the socket and shape) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Secondly, Applicant argues that Arsenault fails to disclose the creation of a socket when an object is moved proximately to another object. It is the Examiner's position that while Arsenault may not implicitly disclose creating a socket, it is implied through dynamic creation of components, the manipulation of a user by positioning, and by intelligently knowing how to snap together objects.

Applicant argues that Arsenault fails to disclose the creation of the object when the object is moved proximate. It is well known in the art that drag and drop user manipulations operate by proximity. Furthermore, Arsenault discloses some shapes

can be used to intelligently modify the shape of other shapes and shape characteristics such as a capability to snap in and interlock with another shape automatically are need with the user is manipulating the position of the shape, col. 3, line 50- col. 4, line 26.

Applicant argues that Arsenault fails to disclose deleting the created socket when the plugs are attached. Arsenault discloses remove and remove all components function calls, which Examiner interprets as deleting the created component which may be performed when the object is no longer proximate and when no plugs are attached thus allowing for the creation of allowing shape properties to be operatively interconnected to behave intelligently in response to user interaction, which is Arsenault discloses as positioning, and the intelligent shapes may provide multiple representations for a variety of purposes, and that shape characteristics such as minimum distance or a capability to snap and interlock is used in user manipulations of the position in the scene and discloses pulling and attraction of a shape by deforming the other shape, col. 3, line 50- col. 4, line 26.

Therefore it is the Examiner's position that if the shape is deformed by the attraction of another shape the deformation constitutes a change in the appearance in response to the positioning. Arsenault further discloses shape components such as a plug into and socket configuration, col. 4, lines 57-59. Arsenault discloses properties specify dynamic behavior such as how to snap objects together and that the components are dynamic and can be added or removed in response to user requests, col. 5, lines 37-40. Arsenault therefore discloses changing an appearance, by deforming the shapes, and dynamic creation of components, such as a plug and socket,

by specifying dynamic behavior and allowing the objects to be added or removed by user request or positioning.

Applicant argues that Arsenault fails to disclose changing the appearance of the second object when the types of plug on the first object does not match the type a socket on the second object. Arsenault discloses some shape can be used to intelligently modify the shape of other shapes and shape characteristics such as a capability to snap in and interlock with another shape automatically are need with the user is manipulating the position of the shape, col. 3, line 50- col. 4, line 26. It is therefore the Examiner's interpretation that intelligently the objects can not be joined if the objects components or connections do not match, and therefore would need to be modified to snap in and interlock automatically.

Applicant argues that Arsenault fails to disclose positioning of the object and a defined range of the first object coupled to a particular attachment point on the second object. Arsenault discloses in the cited portion that the disk is snapped onto the end, which is a defined range of the first object, whenever the disk is dragged into proximity.

Lastly, Applicant argues that Arsenault fails to disclose deleting the created socket when the plugs are attached. Arsenault discloses remove and remove all components function calls, which Examiner interprets as deleting the created component which may be performed when the object is no longer proximate and when no plugs are attached.

For the above reasons, it is believed that the rejections should be sustained.

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Respectfully submitted,

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February 6, 2004

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